

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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L.I.S.T., INC., On Behalf of Itself and All	:	Civil Action No. 7:05-CV-02189-CM
Others Similarly Situated,	:	
	:	<b><u>ELECTRONICALLY FILED</u></b>
Plaintiff,	:	
	:	<b><u>CLASS ACTION</u></b>
vs.	:	
VEECO INSTRUMENTS, INC., et al.,	:	
	:	
Defendants.	:	
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ROY P. KERSHAW, Individually and On	:	Civil Action No. 7:05-CV-02929-CM
Behalf of All Others Similarly Situated,	:	
	:	<b><u>CLASS ACTION</u></b>
Plaintiff,	:	
	:	
vs.	:	
VEECO INSTRUMENTS, INC., et al.,	:	
	:	
Defendants.	:	
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NOTICE OF FILING OF NECA-IBEW PENSION FUND'S MEMORANDUM OF LAW IN  
RESPONSE TO DEFENDANTS VEECO INSTRUMENTS INC., EDWARD H. BRAUN AND  
JOHN F. REIN, JR.'S MOTION TO TRANSFER AND CONSOLIDATE ACTIONS FOR  
PRETRIAL PROCEEDINGS

PLEASE TAKE NOTICE that proposed Lead Plaintiff NECA-IBEW Pension Fund (The Decatur Plan) ("NECA") has filed its Memorandum Of Law In Response To Defendants Veeco Instruments Inc., Edward H. Braun and John F. Rein, Jr.'s Motion To Transfer And Consolidate Actions For Pretrial Proceedings before the Judicial Panel on Multidistrict Litigation. A copy of the response is attached hereto as Exhibit A.

DATED: May 24, 2005

LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP

*/s/ Mario Alba Jr.*

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MARIO ALBA, JR.

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[Proposed] Lead Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I, Mario Alba, Jr., hereby certify that on May 24, 2005, I caused a true and correct copy of the attached:

Notice Of Filing Of NECA-IBEW Pension Fund's Memorandum Of Law  
In Response To Defendants Veeco Instruments Inc., Edward H. Braun and  
John F. Rein, Jr.'s Motion To Transfer And Consolidate Actions For  
Pretrial Proceedings

to be served by first-class mail to all counsel on the attached service list.

/s/ Mario Alba, Jr.

Mario Alba, Jr.

VEECO INSTRUMENTS (SDNY)

Service List - 4/18/2005 (05-0043N)

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